

REMARKS

Applicants traverse the position of the Office Action and respectfully request reconsideration of the application.

Claims 1, 2, 4-14, 16-18, 20-26, 28-34, 36-48, 50-62 and 64-76 were pending in the Application. Claims 75 and 76 were cancelled. Claims 1, 2, 4-7, 11, 25, 30-34, 38, 41-43, 45, 47, 48, 52, 55, 56, 61, 62, 66, and 69-71 were amended. Claims 77-99 were added.

The amendments of claims 1, 33, 47 and 61 regarding the substantially flat engagement regions 28a and 28b (collectively 28, as explained on page 15, lines 1-3) find support in Figures 1, 1A, 2, 3A-3D, 4A-4C, 5, 5A, 6A, 13 and 14. The amendments of the same claims regarding the fact that the hindrance portions 29a and 29b (collectively 29) are in the vicinity of the peaks 26a and 26b (collectively 26), respectively, is shown in Figures 1, 1A, 2, 3A-3D, 4A-4C, 6A, 13 and 14.

The amendments of claims 11, 38, 52 and 66 were made according to the instructions of the Examiner for these claims to become allowable.

The amendments of the rest of the claims was made just to change the dependence of said claims.

Claims 75 and 76 were cancelled, one reason being that their most important features are claimed in our Application 11/179,970, filed 07/12/2005.

The addition of claims 77-99 finds support on p. 10, line 15 to p. 11, line 5; p. 14, lines 4-11; p. 22, line 26 to p. 24, line 1.2; and Figures 13 and 14.

A fee amounting to \$725.00 is submitted herewith for rendering claims 11, 38, 52 and 66 independent (+ \$400.00), canceling independent claims 75 and 76 (- \$250.00), and adding dependent claims 77-99 (+ \$575.00).

DETAILED ACTION

Information Disclosure Statement

1. The remarks of the Examiner regarding the Information Disclosure Statement are acknowledged.

Drawings

2. The drawings were objected to under 37 CFR 1.83(a), because the hindrance portion comprising one of a side rib, an upward solid bent extension parallel to the peak and the free end, and a knurled region were not shown. Since the only claims comprising these features are claims 75 and 76, which have been cancelled, it is respectfully submitted that the present drawings adequately show every feature claimed.

Therefore, Applicants respectfully request withdrawal of the objection under 37 CFR 1.83(a).

Claim Objections

3. Claims 11, 38, 52 and 68 were objected to as reciting the limitation “the ripple has only a back side substantially lacking a front side”, which contradicts the limitations of the claims they depend from.

Applicants amended claims 11, 38, 52 and 68 in a manner to eliminate this contradiction, and respectfully request removal of the objection.

Claims 12, 13, 16, 17, 20 21, 23, 24, 28, 29, 39, 40, 46, 53, 54, 60, 67, 68 and 74 were objected to as depending from respective objected claims shown above.

Since claims 11, 38, 52 and 68 were amended in a manner to remove the objection due to the aforementioned contradiction, said contradiction has been removed also from claims 12, 13, 16, 17, 20 21, 23, 24, 28, 29, 39, 40, 46, 53, 54, 60, 67, 68 and 74.

Therefore, Applicants respectfully request withdrawal of the objection regarding claims 12, 13, 16, 17, 20 21, 23, 24, 28, 29, 39, 40, 46, 53, 54, 60, 67, 68 and 74.

Claim 30 was objected to because the word “form” should be replaced by the word “from”. The appropriate correction was made.

Therefore, Applicants respectfully request withdrawal of the objection regarding claim 30.

The indicated allowability of claims 1-10, 14, 15 18, 19, 22, 25-27, 31-37, 41-45, 47-51, 55-59, 61-65, and 69-73 of the Office Action, dated 04/25/2005, was withdrawn by the Examiner. Applicants respectfully traverse this position based on the remarks and amendments that follow, and which better clarify the present invention.

Claim Rejections – 35 USC §102

4. The comments of the Examiner are acknowledged.

5. Claims 1, 4-7, 9, 10, 14, 26, 30, 31, 33, 36, 37, 41, 45, 47, 50, 51, 55, 59, 61, 64, 65, 69, 73, 75, and 76 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Smith (U.S. 6,353,981 B1).

Applicants amended claims 1, 33, 47, and 61 in a manner to clarify a number of significant differences between the Smith disclosure and the present invention, and respectfully traverse the position of the Office Action.

It was clarified that the engagement region 28a, 28b (collectively 28) is **substantially flat** (see for example Figures 1, 1A, 2, 3A-3D, 4A-4C, 5, 5A, 6A, 13 and 14 of the present application) and comprises a hindrance portion 29a, 29b (collectively 29) with one to three ripples in the **form of depressions** 30a, 30b (collectively 30). See, for example Figures 1, 1A, 2, 3A-3D, 4A-4C, 6A, 13 and 14 of the present application. Regarding the letters “a” and “b”, and their absence regarding indication of the elements, see page 15, lines 1-3.

In contrast, Smith’s disclosure and Smith’s Figures 1-5 and 9-19a show at least one side with an engagement region 20’ (from 22 to 20) to be flat **lacking a hindrance portion of any kind**, but having a “recess” 20, as well as an opposite **wavy non-flat engagement region** (from 26 to 18a) with two “peaks” 26 and 30, as well as two “recesses” 24 and 28.

Since the claims are interpreted in view of the Specification, including the Figures, Smith’s elements 20, 24 and 28 (Smith’s Figures) are “optional recesses” according to the present invention (see page 15, lines 22-28 of the present invention), and simply recesses according to Smith (C. 4, line 55 to C. 5, line 8) while elements 22, 26, and 30 are “peaks” according to Smith (C. 4, line 55 to C. 5, line 8). The peaks and the recesses are huge elements, existing in both types of fasteners (Smith and present application), while the depressions in the hindrance portion of the present application are merely minute elements, not expected to have such great impact in the balance of forces. See page 18, lines 4-17 of the specification

It should also be pointed out that in the case of independent claims 1, 33, 47 and 61, as now amended, and any respective dependent claims, the hindrance portion is disposed in the vicinity of the peak and is such as to increase the removal force of the

fastener from the slot (see for example Figures 3B-3D of the present invention). In contrast, elements 20 on one side, and 24 with 28 on the other side, even if arguendo were accepted to be considered as hindrance portions, by no means these hindrance portions are located in the vicinity of the peak. For all practical purposes, they are equidistantly disposed between the free ends 16a / 18a and the peaks 22 and 26, respectively, their only function being to guide the fastener to take a predetermined position within the slot, or prevent the fastener to move too deep into the slot.

Merely the above facts show clearly that the rejected claims are not anticipated by Smith, and any other comments concerning less important issues would be moot.

Therefore, Applicants respectfully request removal of the rejection under 35 U.S.C. 102(e) as being anticipated by Smith (U.S. 6,353,981 B1) of:

· amended independent claim **1** and claims 5, 7, 9, 10, 14, and 26 depending from claim 1 directly or indirectly;

amended independent claim **33** and claims 36 and 37 depending from claim 33 directly or indirectly;

· amended independent claim **47** and claims 50 and 51 depending from claim 47 directly or indirectly; and

amended independent claim **61** and claims 64 and 65 depending from claim 61 directly or indirectly.

Applicants further respectfully request removal of the rejection of the following claims under 35 U.S.C. 102(e) as being anticipated by Smith (U.S. 6,353,981 B1) for the reasons given below:

- Claims 2, 4, 6, 30 and 32 as depending from allowable claim 11, directly or indirectly, after amendment of claim 11, as stated at a later section;
- Claims 34, 41 and 45 as depending from allowable claim 38, directly or indirectly, after amendment of claim 38, as stated at a later section;
- Claims 48, 55 and 59 as depending from allowable claim 52, directly or indirectly, after amendment of claim 52, as stated at a later section;
- Claims 62, 69 and 73 as depending from allowable claim 66, directly or indirectly, after amendment of claim 66, as stated at a later section.

With regard to new claims 75 and 76, these claims have been cancelled and any arguments would be moot.

6. Claims 1, 4, 5, 9, 10, 14, 18, 22, 33, 36, 37, 41-44, 47, 50, 51, 55-58, 61, 64, 65, 69-72, 75 and 76 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Vassiliou (U.S. 6,353,981).

Applicants respectfully submit that at this point the Examiner apparently made inadvertently a mistake regarding “Vassiliou (U.S. 6,353,981)”, since the inventor of U.S. Patent 6,353,981 is Smith and not Vassiliou. However, on page 4, line 1 of the Office Action “Vassiliou (US 6,279,207)” was mentioned as one of the patents allegedly causing withdrawal of allowability of a plurality of claims of the present Application, Applicants respectfully assume that the Examiner meant “Vassiliou (US 6,279,207)” and not “Vassiliou (U.S. 6,353,981)”.

Applicants respectfully traverse the position of the Office Action for substantially the same reasons relative to Smith’s disclosure.

Applicants amended claims 1, 33, 47, and 61 in a manner to clarify a number of significant differences between the Vassiliou disclosure and the present invention, and respectfully traverse the position of the Office Action.

It was clarified that the engagement region 28a, 28b (collectively 28) is **substantially flat** and comprises a hindrance portion 29a, 29b (collectively 29) with one to three ripples in the **form of depressions** 30a, 30b (collectively 30). See, for example Figures 1-3D of the present invention. Regarding the letters “a” and “b”, and their absence regarding indication of the elements, see page 15, lines 1-3.

In contrast, Vassiliou’s disclosure and Vassiliou’s Figures 1 and 8 show two sides with engagement regions having “recesses” 31i and 29i. Since the claims are interpreted in view of the Specification, including the Figures, Vassiliou’s elements 31i and 29i (Vassiliou’s Figures) are “optional recesses” according to the present invention (see page 15, lines 22-28 of specification) and not ripples.

It should also be pointed out that in the case of independent claims 1, 33, 47 and 61, as now amended, and any respective dependent claims, the hindrance portion is disposed in the vicinity of the peak and is such as to increase the removal force of the fastener from the slot (see for example Figures 3B-3D of the present invention). In contrast, Vassiliou’s elements 31i and 29i, even if arguendo were accepted to be considered as hindrance portions, by no means these hindrance portions are located in the vicinity of the respective peaks (Figures 1 and 8). For all practical purposes, they are disposed considerably closer to the respective free ends than to the peaks, their only function being to prevent the fastener to move too far within the slot. Further, by no means they increase the removal force of the fastener from the slot. Whether they are there or not does not make any difference at all regarding the removal force.

Merely the above facts show clearly that the rejected claims are not anticipated by Vassiliou, and any other comments concerning less important issues would be moot.

Therefore, Applicants respectfully request removal of the rejection under 35 U.S.C. 102(e) as being anticipated by Vassiliou (US 6,279,207) of:

- amended independent claim **1** and claims 5, 9, 10, 14, 18 and 22 depending from claim 1 directly or indirectly;
- amended independent claim **33** and claims 36 and 37 depending from claim 33 directly or indirectly;
- amended independent claim **47** and claims 50 and 51 depending from claim 47 directly or indirectly; and
- amended independent claim **61** and claims 64 and 65 depending from claim 61 directly or indirectly.

Applicants further respectfully request removal of the rejection of the following claims under 35 U.S.C. 102(e) as being anticipated by Smith (U.S. 6,353,981 B1) for the reasons given below:

- Claims 41-44 as depending from allowable claim 38, directly or indirectly, after amendment of claim 38, as stated at a later section;
- Claims 55 - 58 as depending from allowable claim 52, directly or indirectly, after amendment of claim 52, as stated at a later section;
- Claims 69-72 as depending from allowable claim 66, directly or indirectly, after amendment of claim 66, as stated at a later section.

7. With regard to new claims 75 and 76, these claims have been cancelled and any arguments would be moot.

Claim Rejections – 35 USC §103

8. The comments of the Examiner are acknowledged.

9. Claims 2, 8, 25, 34, 48 and 62 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Smith.

Applicants respectfully traverse the position of the Office Action.

Claims 2, 8 and 25 as now stand depend directly or indirectly from claim 11, which as now amended is earnestly believed to be allowable. Claim 34 as now amended depends from claim 38, which as now amended is earnestly believed to be allowable. Claim 48 as now amended depends from claim 52, which as now amended is earnestly believed to be allowable. Claim 62 as now amended depends from claim 66, which as now amended is earnestly believed to be allowable.

Therefore, Applicants earnestly believe that claims 2, 8, 25, 34, 48 and 62 are also allowable and respectfully request withdrawal of the rejection under 35 U.S.C. 103(a) as being unpatentable over Smith.

10. Claims 18, 22, 42, 43, 56-58 and 70-72 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Smith in view of Vassiliou.

Applicants respectfully traverse the position of the Office Action.

Claims 18 and 22 as now stand depend indirectly from claim 1, which as now amended is earnestly believed to be allowable. Claims 42 and 43 as now amended depends from claim 38, which as now amended is earnestly believed to be allowable. Claims 56 and 58 as now amended depends from claim 52, which as now amended is earnestly believed to be allowable. Claims 70-72 as now amended depend from claim 66, which as now amended is earnestly believed to be allowable.

Therefore, Applicants earnestly believe that claims 18, 22, 42, 43, 56-58 and 70-72 are also allowable and respectfully request withdrawal of the rejection under 35 U.S.C. 103(a) as being unpatentable over Smith over Vassiliou.

Allowable subject matter

12. The comments of the Examiner regarding the allowability of claims 11, 38, 52 and 66 are acknowledged.

As aforementioned, Applicants amended these claims in a manner to overcome the objections set forth in the Office Action

Therefore, Applicants respectfully request allowance of the above claims.

13. The comments of the Examiner regarding the allowability of claims 12, 13, 16, 17, 20, 21, 23, 24, 28, 29, 39, 40, 46, 53, 54, 60, 67, 68 and 74 are acknowledged.

Claims 12, 13, 16, 17, 20, 21, 23, 24, 28 and 29 depend directly or indirectly from claim 11. Claims 39, 40 and 46 depend directly or indirectly from claim 38. Claims 53, 54 and 60 depend directly or indirectly from claim 52. Claims 67, 68 and 74 depend directly or indirectly from claim 66.

Since the allowance of claims 11, 38, 52 and 66 has been respectfully requested, then claims 12, 13, 16, 17, 20, 21, 23, 24, 28, 29, 39, 40, 46, 53, 54, 60, 67, 68 and 74, should also be allowable, and Applicants respectfully request their allowance too.

Response to Arguments

14. The comments of the Examiner are acknowledged, but Applicants respectfully traverse the position of the Office Action for the aforementioned reasons.

Conclusion

The comments of the Examiner are acknowledged.